

Where the context requires, words referring to the singular include the plural, and vice versa.

Verification

2. Before determining whether a person has additional expenses of a kind required by section 69C (2A) (a) of the Act, you must require the applicant to provide written verification that—

- (a) He or she is incurring the expenses claimed; and
- (b) The expenses are of an ongoing kind; and
- (c) The expenses arise from the person's disability,—

by way of—

(d) A certificate from a registered health professional as to the need for the goods or services to which the expenses relate, how that need relates to the person's disability, the expected duration of that need, and the therapeutic value to the person in receiving the goods or services; and

(e) Invoices or receipts for payment of the expenses; and

(f) Any other verification that you consider necessary or satisfactory.

3. When reviewing a person's entitlement to any disability allowance, you are not required to verify the expenses where you are satisfied that—

(a) The circumstances have not changed having regard to the matters in clauses 4, 5, and 6; and

(b) Those expenses have been verified under this direction within the last 12 months.

Additional expenses arising from the disability

4. When determining whether a person has additional expenses of a kind required by section 69C (2A) (a) of the Act, you must consider—

(a) Whether the person is incurring ongoing expenses which result from the person's disability, having regard to—

(i) The relationship between the disability and the need to incur the expenses; and

(ii) The other matters referred to in clause 2 (d); and

(iii) Whether the person would be incurring the expenses if he or she did not have the disability; and

(iv) Whether the expenses or an expense of that kind was being incurred before the disability arose and the reasons for incurring that expense at that time; and

(b) Whether a person in a similar position who does not have the particular disability would incur expenses of that type or amount; and

(c) Whether there are less costly goods or services which might meet the need referred to in clause 2 (d); and

(d) Any other matters you consider to be relevant.

5. When determining whether the cost of a partly subsidised or unsubsidised pharmaceutical product is an additional expense of a kind required by section 69C (2A) (a) of the Act, you must have regard to the matters in clause 4 and the following additional matters—

(a) The availability of another subsidised or partly subsidised pharmaceutical product which may be adequate to meet the need referred to in clause 2 (d); and

(b) Whether the applicant has applied to the Health Funding Authority, Health Benefits Limited, or other appropriate agency for a subsidy, or an increased subsidy, on the pharmaceutical product concerned, and if so, whether that application has been accepted or declined and the reasons for it being declined (if applicable).

Exercise of Discretion

6. Where you consider that the applicant fulfils the requirements of section 69C of the Act, you must grant a disability allowance only if, having regard to the following matters, you believe such grant is justified:

(a) The assistance that is or might be available to the applicant from other sources to pay the expenses;

(b) The matters referred to in clause 2 (d); and

(c) Any other matters you consider to be relevant.

7. Nothing in this direction requires you to grant a disability allowance if, in the exercise of your discretion, you determine such grant ought not to be made.

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Telephone Costs Payment

Pursuant to section 124 (1) (d) of the Social Security Act 1964, I, Roger Morrison Sowry, Minister of Social Services, Work and Income, establish and approve the following welfare programme for special assistance to take effect on 1 April 1999.

Dated this 28th day of March 1999.

ROGER MORRISON SOWRY, Minister of Social Services, Work and Income.

Telephone Costs Payment

Analysis

1. Title and commencement
2. Objectives of the Programme
3. Definitions
4. Application of the Social Security Act
5. Eligibility for Payment
6. Rate of Payment
7. Beginning and end of Payments

7.1 Beginning

7.2 End

1. Title and Commencement

1.1 This welfare programme is called the Telephone Costs Payment programme.

2. Objectives of the Programme

2.1 The objectives of this programme are to—

(a) provide non recoverable financial assistance to certain persons who lose entitlement to a Disability Allowance for Telephone Rental Costs;

(b) ensure that the financial assistance set out in paragraph (a) is provided within the limits and for the reasons prescribed.

3. Definitions

3.1 In this programme, unless the context otherwise requires,—

"Act" means the Social Security Act 1964;

"Disability Allowance" means a disability allowance payable under section 69C (1) of the Act;

"Payment" means a telephone costs payment, being the assistance under this programme;

"Telephone Rental Costs" means the regular and ongoing costs of—

- (a) Renting a basic telephone; or
- (b) Telephone line rental; or
- (c) Both (a) and (b).

3.2 Expressions otherwise defined in section 3 (1) of the

Act have the meanings so defined unless the context otherwise requires.

Note: Words, or phrases whose words begin with capital letters generally refer to either a definition in clause 3.1 or an expression defined in section 3 (1) of the Social Security Act 1964.

4. Application of the Social Security Act

4.1 Sections 3, 12, 62, 63, 63A, 64, 66, 66A, 66B, 68, 68A, 70, 71, 73, 74, 74A, 76, 77, 78, 80A, 81, 82 (except 82 (6)), 82A, 84, and 86J of the Act apply, with any necessary modifications, to this programme as if a Payment under this programme were a Benefit under the Act.

4.2 Nothing in clause 4.1 limits any other provision of the Act.

5. Eligibility for Payment

5.1 The Chief Executive may grant a Payment to any person who—

(a) Was, immediately before 1 April 1999, and continuously until the decision referred to in paragraph (b), in receipt of a Disability Allowance for Telephone Rental Costs; and

(b) Is no longer in receipt of a Disability Allowance for Telephone Rental Costs because of a decision of the Chief Executive under section 69C (2A) (a) of the Act made on or after 1 April 1999.

6. Rate of Payment

6.1 Rate equal to Disability Allowance rate

The amount of a Payment on a weekly basis is an amount not greater than the amount of Disability Allowance for

Telephone Rental Costs which the person received immediately prior to 1 April 1999.

Provided that where the person continues to receive a Disability Allowance for other costs, the Chief Executive must adjust the amount of the Payment so that the total of the Disability Allowance and the Payment does not exceed on a weekly basis the maximum weekly rate of a Disability Allowance in clause 2 of the nineteenth schedule of the Act.

7. Beginning and end of payments

7.1 Beginning

No Payment may be made earlier than the Pay Day following the date on which the person ceased to be in receipt of a Disability Allowance for Telephone Rental Costs.

7.2 End

A Payment ceases to be payable—

(a) On the date the person ceases to be eligible to receive a Disability Allowance for some reason other than the application of section 69C (2A) (a) of the Act; or

(b) Where the person had received a Disability Allowance only for Telephone Rental Costs, on the date the Chief Executive decides that the person would have ceased to be entitled to that Disability Allowance for some reason other than the application of section 69C (2A) (a) of the Act.

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Authorities and Other Agencies of State Notices

Civil Aviation Authority of New Zealand

Civil Aviation Act 1990

Notification of Ordinary Rules

Pursuant to section 34 of the Civil Aviation Act 1990, notification is hereby given of the ordinary rules set out in the Schedule hereto which come into force as stated in the Schedule.

Schedule

Civil Aviation Rules Part 1: Definitions and Abbreviations, Amendment 13 which shall come into force on 30 April 1999.

Civil Aviation Rules Part 12: Accidents, Incidents, and Statistics, Amendment 1 which shall come into force on 30 April 1999.

Civil Aviation Rules Part 19: Transition Rules, Amendment 3 which shall come into force on 30 April 1999.

Civil Aviation Rules Part 61: Pilot Licenses and Ratings, Amendment 5 which shall come into force on 30 April 1999.

Civil Aviation Rules Part 66: Aircraft Maintenance Personnel Licensing, Amendment 1 which shall come into force on 30 April 1999.

Civil Aviation Rules Part 93: Special Aerodrome Traffic Rules and Noise Abatement Procedures, Amendment 1 which shall come into force on 30 April 1999.

Civil Aviation Rules Part 119: Air Operator – Certification, Amendment 3 which shall come into force on 30 April 1999.

Civil Aviation Rules Part 121: Air Operations – Large Aeroplanes, Amendment 5 which shall come into force on 30 April 1999.

Civil Aviation Rules Part 125: Air Operations – Medium Aeroplanes, which shall come into force on 30 April 1999.

Civil Aviation Rules Part 135: Air Operations – Helicopters and Small Aeroplanes, Amendment 6 which shall come into force on 30 April 1999.

These ordinary rules result from the Part 135 Review and are available for inspection at the Civil Aviation Authority of New Zealand, 1 Market Grove (P.O. Box 31-441), Lower Hutt.

They may be downloaded from the CAA Internet page at <http://www.caa.govt.nz> or purchased from Publishing Solutions Limited, freephone 0800 800 359.

Dated at Wellington this 29th day of March 1999.

K. W. WARD, Director of Civil Aviation.

(CAA Docket Number 98/CAR/1303)

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